



IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
RICHMOND DIVISION

In re:	)	Chapter 11
	)	Case No. 08-35653-KRH
CIRCUIT CITY STORES, INC.,	)	Jointly Administered
<u>et al.</u> ,	)	
	)	<b>NOTICE OF TRANSFER OF</b>
	)	<b>CLAIM OTHER THAN FOR</b>
	)	<b><u>SECURITY</u></b>
Debtors.	)	
<hr/>		Bankruptcy Rule 3001(e)(2)

PLEASE TAKE NOTICE that the claim of **BPP-OH, LLC** (the "Transferor") against Debtor Circuit City Stores, Inc., designated as Claim No. 12981 asserting an administrative priority claim in the amount of \$2,000 and a general unsecured claim in the amount of \$795,263.37, has been transferred and assigned other than for security to **CGCMT 2006-C5 GLENWAY AVENUE, LLC** (the "Transferee"), pursuant to the Assignment of Claim executed by the Transferor, a true and correct copy of which is attached hereto as **Exhibit A** (the "Assignment").

The undersigned hereby submits this Notice and the Assignment as evidence of the transfer pursuant to Rule 3001(e)(2) of the Federal Rules of Bankruptcy Procedure, of all rights, title and interest in and to the claim originally held by **BPP-OH, LLC** to **CGCMT 2006-C5 GLENWAY AVENUE, LLC**. The Clerk of the Court and claims agent Kurtzman Carson Consultants LLC are each authorized to change the address on Claim No. 12981 filed by Transferor to that of the Transferee listed below.

**TRANSFEROR:**

**BPP-OH, LLC**

c/o John C. La Liberte, Esq.

**Sherin and Lodgen LLC**

101 Federal Street

Boston, MA 02110

**TRANSFEE:**

**CGCMT 2006-C5 GLENWAY AVENUE, LLC**

c/o Mindy A. Mora, Esq.

**Bilzin Sumberg Baena Price & Axelrod LLP**

200 South Biscayne Blvd., Suite 2500

Miami, Florida 33131

I declare under penalty of perjury that the foregoing is true and correct and that this declaration is executed at Miami Beach, Florida.

**CGCMT 2006-C5 GLENWAY AVENUE, LLC**

By: LNR Partners, LLC, its Manager

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

**ASSIGNMENT OF CLAIM**

**BPP-OH, LLC**, a Delaware limited liability company ("**Assignor**") for good and valuable consideration, hereby absolutely and unconditionally assigns to **CGCMT 2006-C5 GLENWAY AVENUE, LLC**, an Ohio limited liability company ("**Assignee**") all of its interest in that certain claim filed by or on behalf of Assignor in the bankruptcy of Circuit City Stores, Inc., or any of its affiliates (collectively, "**CCS**") pending in the United States Bankruptcy Court for the Eastern District of Virginia (the "**Court**"), Case No. 08-35653, Claim No. 7063, filed on January 28, 2009, a copy of which is attached hereto as **Exhibit A**, which evidences a claim for rejection damages in the amount of \$731,512.41, together with any amounts not already paid to Assignor under its claim for prepetition rent for the month of October, 2008 and a portion of the month of November, 2008, as reflected in the claim, in the aggregate amount of \$65,750.96, together with any and all other claims which Assignor has against CCS in any and all respects. Assignor agrees that, in the event Assignor receives any payments or distributions with respect to any such claims after the date hereof, Assignor shall accept the same as Assignee's agent and shall hold the same in trust on behalf of, and for the sole benefit of, Assignee and shall promptly deliver the same to Assignee.

IN WITNESS WHEREOF, the undersigned has duly executed this Assignment of Claim by its duly authorized representative as of the 13<sup>th</sup> day of May, 2009.

**BPP-OH, LLC**, a Delaware limited liability company

By: \_\_\_\_\_

Gary Saunders, Manager